

Remarks

1. An amendment to the first paragraph of the specification was made to complete the status of the referenced application.
2. Claims 37-45 have been canceled. Claims 46, 48 and 49 have been amended to correct the claim dependencies as a result of canceling claims 37-45. Similarly, claims 13-23 have been canceled and claims 24, 26 and 27 amended to correct the claim dependencies as a result.
3. Claims 1-49 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-69 of U.S. Patent No. 6,579,825. A terminal disclaimer is being filed concurrently with this response letter with respect to U.S. Patent No. 6,579,825. Applicant respectfully requests the rejection on the ground of nonstatutory obviousness-type double patenting be withdrawn.
3. Claims 1-49 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-25 of U.S. Patent No. 6,656,874. A terminal disclaimer is being filed concurrently with this response letter with respect to U.S. Patent No. 6,656,874. Applicant respectfully requests the rejection on the ground of nonstatutory obviousness-type double patenting be withdrawn.
4. Claims 1-49 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-15, 17-29 of co-pending Application No. 10/936,248. A terminal disclaimer has been filed in co-pending Application No. 10/936,248 disclaiming the terminal part of the statutory term of any patent granted on U.S. Application Serial No. 10/936,248 which would extend beyond the expiration date of the statutory term of any patent granted on U.S. Application Serial No. 09/992,784. A copy of the terminal disclaimer is attached. Applicant respectfully requests the provisional rejection on the ground of nonstatutory obviousness-type double patenting be withdrawn.

CONCLUSION

Allowance of Claims 1-49 of the present application is respectfully requested.
If the Examiner would like to discuss this case with Applicant's attorney, the Examiner
is invited to contact Richard Lemuth at the phone number below.

Respectfully submitted,

JOHN ROBERT LOCKEMEYER

By Richard F. Lemuth

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Enclosure: Terminal Disclaimer, mailed September 21, 2005, regarding U.S.
Appl. No. 10/936,248



Patent
TH-1396 05 (US)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P. O. Amendments, Alexandria, VA 22313-1450 on or before the date shown below.

Richard F. Lemuth
Richard F. Lemuth
Date Sept. 21, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	
)	
JOHN ROBERT LOCKEMEYER)	
)	
Serial No. 10/936,248)	Group Art Unit: 1755
)	
Filed September 8, 2004)	Examiner: Patricia L. Hailey
)	
CATALYST COMPOSITION)	
)	

COMMISSIONER FOR PATENTS
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER PURSUANT TO 37 CFR § 1.321(c)

This terminal disclaimer is in response to an Office Action mailed July 1, 2005.

Shell Oil Company, assignee of the entire interest in U.S. application Serial No. 10/936,248, filed on September 8, 2004, by the assignment recorded in the U.S. Patent and Trademark Office on December 22, 2004, in Reel 016092, Frame 0853, and assignee of the entire interest in U.S. Application Serial No. 09/992,784, filed on November 6, 2001, by assignment recorded in the U.S. Patent and Trademark Office on May 27, 2003, in Reel 014099, Frame 0184, hereby disclaims the terminal part of the statutory term of any patent granted on U.S. Application Serial No. 10/936,248 which would extend beyond the

expiration date of the full statutory term of any patent granted on U.S. Application Serial No. 09/992,784.

Shell Oil Company hereby agrees that any patent granted on application Serial No. 10/936,248 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Application Serial No. 09/992,784 and any patent issuing therefrom, this agreement to run with any patent granted on U.S. application Serial No. 10/936,248, and to be binding upon the grantee, its successors or assigns.

Shell Oil Company does not disclaim any terminal part of any patent granted on application Serial No. 10/936,248 that would extend to the expiration date of the full statutory term of any patent granted on U.S. Application Serial No. 09/992,784, as the term of any patent granted on U.S. Application Serial No. 09/992,784 may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending U.S. Application Serial No. 09/992,784, in the event that any such patent granted on U.S. Application Serial No. 09/992,784 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant, except for the separation of legal title stated above.

Please charge the \$130 fee covering statutory fees for filing this disclaimer to Shell Oil Company, Deposit Account 19-1800.

The undersigned is an attorney or agent of record Registration No. 30,081

Richard F. Lemuth
Richard F Lemuth
Associate General Counsel
Intellectual Property Services
Reg. No. 30,081

Date

September 21, 2005